



Over the last few weeks, the Parties negotiated the contents of a proposed protective order for this Court's review. Although the Parties agreed on much of the content for the proposed protective order, by mid-last week there remained a few items of disagreement, over which the Parties conferred both telephonically and by email.

On the evening of Thursday, June 23, 2022, Plaintiffs' filed a Motion for Protective Order [DE 101], which presented their proposed protective order to the Court. The next day, the Court ordered Defendants to respond to Plaintiffs' Motion by 5:00 p.m. CDT on Monday, June 27, 2022 [DE 102]. Defendants immediately began working on their response, and worked throughout the weekend and June 27 to draft the Opposition to Plaintiffs' Motion.

Counsel for Defendants worked diligently to ensure that they could timely file by the Court's 5:00 p.m. deadline. The Court previously ordered that any references in filings to the Relator's identity should be filed in a way that protects the Relator from public disclosure [DE 12]. Accordingly, Defendants planned to file a redacted version of the Opposition on the public docket, and an unredacted version under seal. As discussed in the attached Declaration of Leah Godesky, counsel encountered technical problems related to redacting portions of the Opposition that indirectly referenced the identity of the Relator. Once counsel obtained confirmation that redactions were appropriately "locked" in place, Defendants immediately filed the Opposition, completing the electronic filing at 5:17 p.m. CDT.

Shortly after missing the Court's deadline, counsel for PPFA filed a letter on behalf of Defendants apologizing for the error [DE 105]. Defendants now file this Motion to provide further information about Defendants' filing and to formally request that the Court grant leave to permit their untimely Opposition.

Dated: June 28, 2022

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**CERTIFICATE OF SERVICE**

I certify that on June 28, 2022, the foregoing *Unopposed Motion for Leave to File Document Out of Time* was filed via the Court's CM/ECF system and, therefore, was served electronically on all counsel of record.

/s/ Danny S. Ashby  
Danny S. Ashby

**CERTIFICATE OF CONFERENCE**

I certify that on June 28, 2022, counsel for Defendants conferred with counsel for Plaintiffs regarding the foregoing *Unopposed Motion for Leave to File Document Out of Time*. Counsel for Plaintiffs indicated that they do not oppose the relief sought herein.

/s/ Danny S. Ashby  
Danny S. Ashby